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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,494	09/22/2000	Robert E. Jones		1981

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KENNETH EARL DARNELL  
2010 WEST SEVENTH STREET  
COFFEYVILLE, KS 67337

EXAMINER

DIXON, THOMAS A

ART UNIT PAPER NUMBER

3639

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/668,494

Applicant(s)

JONES, ROBERT E.

Examiner

Thomas A. Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 25-31, 33-38, 42-51, 53-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-28, 31, 35-38, 42, 44-48, 51, 53, 55-58, 61 and 63 is/are rejected.
- 7) ☒ Claim(s) 29-30, 34, 43, 49-50, 54, 59-60, 62 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Response to Amendment***

1. A careful review of the claims necessitated the rejections below.

### ***Claim Interpretation***

2. Jepsen claims are read as the entire preamble is prior art, the improvement being the only aspect the examiner searches. The results of the search are sometimes not in the same field of endeavor as the invention for that reason. In the present case, until the improvement brings in language regarding manipulations of flight information or reservations it is just seen as a database claim.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 44, 63 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 63 recites the limitation "the previously checked reservation". There is insufficient antecedent basis for this limitation in the claim.

This claim may more properly depend from claim 62.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 25, 26, 31, 33, 35, 37, 38, 42, 45, 46, 51, 53, 55, 57, 58, 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al (2002/0099649).

As per Claim 25.

Lee et al ('649) discloses:

coordinating access to the database to acquire data for operations therewith and scheduling said operations, see paragraph (0076 the OWM is used to control and manipulate potentially fraudulent orders which may be sequenced for handling);

returning the data to the database after operations are performed thereto to a predetermined location within the database, to thereby update the database, see paragraph (0077 the representative can hold accept or reject the order or use fraud estimation by the computer model, see (0043) and figure 4 to outsort suspect transactions).

As per Claim 26, 46.

Lee et al ('649) further discloses the predetermined location is a queue and the data is present in the form of a multiplicity of batches, see figures 6 and 13.

As per Claim 31, 42, 51, 61.

Lee et al ('649) further discloses the process steps are effected remotely of the database, see figure 2 (114, 102).

As per Claim 33.

Lee et al ('649) discloses:

means for coordinating access to the database to acquire data for operations therewith and scheduling said operations, see paragraph (0076 the OWM is used to control and manipulate potentially fraudulent orders which may be sequenced for handling);

means for returning the data to the database after operations are performed thereto to a predetermined location within the database, to thereby update the database, see paragraph (0077 the representative can hold accept or reject the order or use fraud estimation by the computer model, see (0043) and figure 4 to outsort suspect transactions).

As per Claim 35, 55.

Lee et al ('649) further discloses means for checking for suspicious names, see paragraphs (0300-0302).

As per Claim 37, 57.

Lee et al ('649) further discloses means for distributing data across the database, see figure 2 (108, 112) rules and rules engine to sort transactions into, see figure 13, multiple databases to distribute the data across the databases to prevent data from becoming concentrated in any particular location within the database.

As per Claim 38, 58.

Lee et al ('649) further discloses means for checking for duplicates, see table 3 (100) and paragraph (0207).

As per Claim 45.

Lee et al ('649) discloses:

coordinating access to the database to acquire data for operations therewith and scheduling said operations, see paragraph (0076 the OWM is used to control and manipulate potentially fraudulent orders which may be sequenced for handling);

returning the data to the database after operations are performed thereto to a predetermined location within the database, to thereby update the database, see paragraph (0077 the representative can hold accept or reject the order or use fraud estimation by the computer model, see (0043) and figure 4 to outsort suspect transactions);

checking for duplicates, see table 3 (100) and paragraph (0207).

As per Claim 53.

Lee et al ('649) discloses:

means for coordinating access to the database to acquire data for operations therewith and scheduling said operations, see paragraph (0076 the OWM is used to control and manipulate potentially fraudulent orders which may be sequenced for handling);

means for returning the data to the database after operations are performed thereto to a predetermined location within the database, to thereby update the database, see paragraph (0077 the representative can hold accept or reject the order or use fraud estimation by the computer model, see (0043) and figure 4 to outsort suspect transactions);

means for checking for duplicates, see table 3 (100) and paragraph (0207).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27, 36, 47, 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (2002/0099649).

As per Claims 27, 36, 47, 56.

Lee et al ('649) does not specifically disclose increasing sizes of the batch in response to increasing levels of process activity.

Official Notice is taken that if processing activity increases, and the percentage of questionable transactions remains the same, that it is mathematically inevitable that the number of transactions outsourced into the queue would increase.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made that the batch sizes would increase in size in response to increasing processing activity as a mathematical inevitability.

6. Claims 28, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (2002/0099649) in view of Quinn (3,688,276).

As per Claims 28, 48.

Lee et al ('649) does not specifically disclose printing a ticket.

Quinn ('276) teaches it is old and well known in the reservation arts to print a ticket to allow the purchaser access to the desired event, see column 2, lines 2-11.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to print a ticket as a confirmation of purchase for the benefit of allowing the purchaser access to the desired event.

#### ***Allowable Subject Matter***

7. Claims 29, 30, 34, 49, 50, 54, 63 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Thomas A. Dixon", with a stylized flourish at the end.

Thomas A. Dixon  
Primary Examiner  
Art Unit 3639

December 05